

Remarks/Arguments:

Claims 1-47 are pending in the application. The specification is amended to correct informalities. Claims 18 and 37-47 are withdrawn as directed to non-elected subject matter. Claims 48-51 are newly added as supported by the specification as filed, including the originally filed claims. Claims 1, 3-6, 8, 10-14, 19-20, 26, 28, and 31-34 are amended herein to even more clearly define the claimed subject matter, which amendments do not introduce new matter. Any subject matter cancellation made by way of amendment is done without prejudice to one or more continuing applications.

I. Specification

The specification stands objected to for informalities. It is believed that the amendments submitted herewith obviate the objection. Paragraph number designations follow those of the published application 20070116768.

II. Rejection under 35 U.S.C. §112, first paragraph

Claims 12, 13, and 32 stand rejected for allegedly failing to comply with the written description requirement. The office action states that receptor fragments for FGF, PDGF, VEGF, and CAR are not described (claim 12), and states that structural modifications and derivatives of complexing agents and anionic agents are not described (claims 13 and 32). It is believed that the amendments submitted herewith obviate the rejections of claims 12, 13, and 32.

III. Rejection under 35 U.S.C. §102(b)

Claims 1-17 and 19-36 stand rejected as allegedly anticipated by U.S. Pat. No. 6,458,386 to Schacht. The office action states that the Schacht patent describes a composition containing a biopolymer matrix with various constituents as recited in the present claims. Applicants disagree that the Schacht patent anticipates the claims.

The claims recite a particle comprising a complex comprising a bioactive agent and complexing agent. The Schacht patent does not teach or suggest such a particle. Schacht describes a biopolymer matrix that is preferably made from cross-linked gelatin (see, col. 6, lines 12-16). Schacht's matrix is intended to be used as a type of wound dressing (see, col. 5, lines 37-38). Bioactive agents such as wound repair-promoting substances can (but need not) be added to and trapped within the matrix (see, col. 6, lines 55-57). By analogy, Schacht describes a molecular cage. The claims, in contrast, do not recite matrices as described by

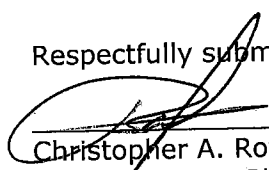
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Schacht. Rather, the claims are directed to a complex comprising a bioactive agent and a complexing agent (see, e.g., specification, page 8, lines 16-17 and 19-21; and page 9, lines 28-32). Schacht does not teach or suggest to associate a bioactive agent and complexing agent. In addition, placing agents into a matrix, for example, as described by Schacht, would not produce the claimed particle complex. Thus, the Schacht patent does not anticipate the claims.

The foregoing is a *bona fide* attempt to advance the prosecution of this application to allowance. Applicants respectfully request reconsideration and withdrawal of the various rejections in light of the amendments and arguments set forth herein. An early notice of allowability is requested.

Respectfully submitted,



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